

schools, charities, and many organizations that support disabled Americans.

H.R. 5872, the Boy Scouts of America Centennial Commemorative Coin Act, has vast bipartisan support with over 297 original cosponsors. We will celebrate and make this coincide with the celebration of the 100th birthday of Boy Scouting on February 8, 2010. This bill will create 350,000 \$1 silver coins. At no cost to the American taxpayer, this coin raises also \$3.5 million for the Boy Scouts of America Foundation for the purpose of serving Scouts in hard-to-serve areas. Boy Scouts of America will match this \$3.5 million for the cause, totaling \$7 million of nontaxpayer contributions to the Boy Scouts of America to help serve underserved areas.

I am confident that a commemorative coin would once again be a meaningful and well-liked gesture among Scouts young and old and would raise awareness of the importance of participating in the Scouting program for future generations. I am asking Members of this body to please join me in the recognition of the 100th anniversary of the Boy Scouts of America with this 2010 commemorative coin.

I would like to thank the following people for their support of this bill in addition to the 297 cosponsors: Bob Mazzuca, the Chief Executive Scout; James Terry, the Assistant Chief Scout Executive and Chief Financial Officer; my good friend John Green, the National Director of Programs for the Boy Scouts of America; Chris Frech, the White House Legislative Affairs Office; Marty McGuinness, the White House Legislative Affairs Office; Eagle Scout and Congressman GREG WALDEN, who serves in this body from Oregon; and Eagle Scout Jim Silliman, who works within my office.

Mr. Speaker, this opportunity for us to pass this bill today will lend not only support to the Boy Scouts of America but will help many underserved areas as they try to provide the same level of support that was provided to Mr. Boyce on that cold and foggy night in London, England.

We appreciate the time that the Speaker of the House has given for us to hear this bill, and I want to thank the gentlewoman for extending the time to me.

Mr. GUTIERREZ. Mr. Speaker, I reserve the balance of my time.

Mrs. BIGGERT. Mr. Speaker, I yield myself such time as I may consume.

As Mr. SESSIONS said, after coming back to London, the Chicago publisher William Boyce founded the Boy Scouts of America, and the Scouting movement became so successfully transplanted in the United States that within a few short years, in 1916, the House of Representatives recognized that Boy Scouts of America “tends to conserve the moral, intellectual, and physical life of the coming generation.”

Those words have remained true generation after generation. And today Boy Scouts of America strives through

its Scout outreach program to provide an opportunity for young people to join Scouting regardless of their circumstances, neighborhood, or ethnic background. Boy Scouts of America partners with other charitable organizations such as the Habitat For Humanity, the American Red Cross, and the Salvation Army to help countless citizens across our country as part of the “Good Turn for America.” And Boy Scouts reaches beyond its traditional programs to help schools and community organizations build character and enhance self-confidence of all of our youth through Learning for Life.

Mr. Speaker, I urge all Members to join in recognizing the Boy Scouts of America’s 100-year anniversary with a commemorative coin in 2010.

Mr. ETHERIDGE. Mr. Speaker, I rise today in strong support of H.R. 5872, the Boy Scouts of America Centennial Commemorative Coin Act. This bill directs the Secretary of the Treasury to mint and issue up to 350,000 \$1 silver coins in 2010 to commemorate the centennial of the founding of the Boy Scouts of America. The \$10 surcharge required for each coin will be paid to the National Boy Scouts of America Foundation.

Mr. Speaker, I have long been honored to be associated with the Boy Scouts of America. I am the proud father of an Eagle Scout and I have been proud to support the Occoneechee Council of the Boy Scouts in North Carolina through volunteer work and vital fundraising. I have been honored to receive the Silver Beaver, the Scouts’ highest award for volunteering, and I received a new award for my congressional support for Scouting.

Scouting has contributed to the fabric of American life for nearly 100 years. The Boy Scouts of America was incorporated on February 8, 1910, and chartered by Congress in 1916. The Boy Scouts of America’s original mission was to provide an educational program for boys and young men to build character, to train in the responsibilities of participating in citizenship, and to develop personal fitness.

You know, North Carolina and America and indeed the entire world have changed a great deal since 1910. Yet the Boy Scouts endure. The Boy Scouts remain a mainstay of American life because the message of this organization is timeless: developing American citizens who are physically, mentally and emotionally fit.

The leadership and service skills learned as a Boy Scout have enabled men to become leaders in all walks of life: government, business, sports, science and the arts. These include such distinguished individuals as: President Gerald R. Ford, our first Eagle Scout to become President; Secretary of Defense Robert M. Gates; and my friend, Richard Gephardt, the former majority leader of the U.S. House of Representatives, and Supreme Court Justice Stephen Breyer. Closer to my home, former North Carolina Governor Terry Sanford was an Eagle Scout.

The Boy Scouts of America is an institution that contributes so much to the strength of our social fabric. The activities of the Boy Scouts reinforce our moral core and help sustain our American values, generation after generation.

I support the issuance of this commemorative Centennial Coin, and I urge my colleagues to join me in support of this bill.

Mrs. BIGGERT. Mr. Speaker, I yield back the balance of my time.

Mr. GUTIERREZ. Mr. Speaker, I yield back the balance of my time.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Illinois (Mr. GUTIERREZ) that the House suspend the rules and pass the bill, H.R. 5872, as amended.

The question was taken.

The SPEAKER pro tempore. In the opinion of the Chair, two-thirds being in the affirmative, the ayes have it.

Mr. SIMPSON. Mr. Speaker, I object to the vote on the ground that a quorum is not present and make the point of order that a quorum is not present.

The SPEAKER pro tempore. Pursuant to clause 8 of rule XX and the Chair’s prior announcement, further proceedings on this motion will be postponed.

The point of no quorum is considered withdrawn.

ALICE PAUL WOMEN’S SUFFRAGE CONGRESSIONAL GOLD MEDAL ACT

Mr. BACA. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 406) to posthumously award a Congressional Gold Medal to Alice Paul in recognition of her role in the women’s suffrage movement and in advancing equal rights for women, as amended.

The Clerk read the title of the bill.

The text of the bill is as follows:

H.R. 406

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.

This Act may be cited as the “Alice Paul Women’s Suffrage Congressional Gold Medal Act”.

SEC. 2. FINDINGS.

The Congress finds as follows:

(1) Alice Paul was born on January, 11, 1885, in Moorestown New Jersey, and died on July 9, 1977.

(2) Alice Paul dedicated her life to securing suffrage and equal rights for all women and, as founder of the National Woman’s Party, she was instrumental in the passage of the 19th Amendment to the United States Constitution.

(3) Alice Paul and the National Woman’s Party were the first group ever to picket the White House.

(4) While President Woodrow Wilson trumpeted America’s values of democracy abroad during World War I, Alice Paul was dedicated to reminding the President that not all Americans enjoyed democracy at home.

(5) Alice Paul used nonviolent civil disobedience to bring national attention to the women’s suffrage movement, such as the 3-week hunger strike she undertook when she was sentenced to jail in October, 1917, for her demonstrations.

(6) Alice Paul’s courage inspired thousands of women to join the women’s suffrage movement.

(7) Instead of patiently waiting for States to grant women suffrage, Alice Paul mobilized an entire generation of women to pressure the United States Congress and the President to give all women in America the right to vote.

(8) Alice Paul did not stop her fight after the 19th Amendment was ratified; she drafted the Equal Rights Amendment to the United States Constitution in 1923 and fought tirelessly for its passage until her death 54 years later.

(9) Alice Paul lobbied Congress to include gender in civil rights bills and was successful in including sex discrimination in Title VII of the Civil Rights Act of 1964.

(10) Alice Paul sought equal rights for women all over the world, not just Americans and, as a means of pursuing this goal, founded the World Party for Equal Rights for Women in the 1930's.

(11) Alice Paul was instrumental in the placement of a passage on gender equality in the preamble of the United Nations Charter.

(12) Few people have played a greater role in shaping the history of the United States than Alice Paul.

(13) Alice Paul is an example to all Americans of what one person can do to make a difference for millions of people.

SEC. 3. CONGRESSIONAL GOLD MEDAL.

(a) PRESENTATION AUTHORIZED.—The Speaker of the House of Representatives and the President pro tempore of the Senate shall make appropriate arrangements for the presentation, on behalf of the Congress, of a gold medal of appropriate design in commemoration of Alice Paul, in recognition of her role in the women's suffrage movement and in advancing equal rights for women.

(b) PRESENTATION AND DISPLAY.—The medal referred to in subsection (a) shall be presented jointly to representatives of the Alice Paul Institute and the Sewall-Belmont House, to be shared equally and displayed as appropriate.

(c) DESIGN AND STRIKING.—For purposes of the presentation referred to in subsection (a), the Secretary of the Treasury (hereafter in this Act referred to as the "Secretary") shall strike a gold medal with suitable emblems, devices, and inscriptions, to be determined by the Secretary.

SEC. 4. DUPLICATE MEDALS.

The Secretary may strike and sell duplicates in bronze of the gold medal struck pursuant to section 3 under such regulations as the Secretary may prescribe, at a price sufficient to cover the cost thereof, including labor, materials, dies, use of machinery, and overhead expenses, and the cost of the gold medal.

SEC. 5. STATUS OF MEDALS.

(a) NATIONAL MEDALS.—The medals struck pursuant to this Act are national medals for purposes of chapter 51 of title 31, United States Code.

(b) NUMISMATIC ITEMS.—For purposes of section 5134 of title 31, United States Code, all medals struck under this Act shall be considered to be numismatic items.

SEC. 6. AUTHORITY TO USE FUND AMOUNTS; PROCEEDS OF SALE.

(a) AUTHORITY TO USE FUND AMOUNTS.—There is authorized to be charged against the United States Mint Public Enterprise Fund, such amounts as may be necessary to pay for the costs of the medals struck pursuant to this Act.

(b) PROCEEDS OF SALE.—Amounts received from the sale of duplicate bronze medals authorized under section 4 shall be deposited into the United States Mint Public Enterprise Fund.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from

California (Mr. BACA) and the gentlewoman from Illinois (Mrs. BIGGERT) each will control 20 minutes.

The Chair recognizes the gentleman from California.

GENERAL LEAVE

Mr. BACA. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to revise and extend their remarks on this legislation and to insert extraneous materials thereon.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from California?

There was no objection.

Mr. BACA. Mr. Speaker, I yield myself such time as I may consume.

First, I would like to thank Chairman FRANK; Ranking Member SPENCER BACHUS, the minority member; and I'd also like to thank Representative JUDY BIGGERT, who is also a cosponsor of the legislation and who is managing this on the floor this morning. I also want to take time to thank all of my colleagues in the House of Representatives for their support.

This is bipartisan legislation that has 406 cosponsors out of the 435 Members. The title of the bill is H.R. 406, and there are 406 cosponsors.

I also want to thank my staff for their hard work and dedication to the passage of this legislation.

I rise today in strong support of H.R. 406, the Alice Paul Women's Suffrage Congressional Gold Medal Act, a bill to honor Alice Paul, a woman who dedicated her life to equality. This legislation is supported by the National Council of Women's Organizations, the Alice Paul Institute, the Sewall-Belmont House and Museum, the League of Women Voters, MANA, the 4-E-R-A, and the National Organization of Women.

This legislation awards Alice Paul and the movement she spearheaded the Congressional Gold Medal, to recognize her role in the women's suffrage movement and in advancing equal rights, and I state equal rights, for women.

Many people do not know about Alice Paul, but today they will. It is my hope that this legislation will ratify that fact.

Because of Alice Paul and the work of other suffragists, we have the 19th amendment to the United States Constitution that guarantees that women have the right to vote. Women have the right to be Members of Congress, State officials, and to participate in local policies and the ability to run for public office. That's why here in Congress, we currently have 87 women in Congress. Because of Alice Paul, Speaker PELOSI can be the Democratic leader right here in the 110th Congress. Because of Alice Paul, Senator CLINTON can run for the highest office in the Nation and maybe be the President of the United States of America.

Alice Paul was a remarkable person who made America more democratic by fighting for equal rights and creating opportunities for women. She advo-

cated for women in our country as well as in the Americas, within the confines of the United Nations. Alice Paul helped draft the equal rights amendment in 1923. In 1923, Alice Paul lobbied to ensure that sex discrimination was included in title VII of the Civil Rights Act of 1964.

I want to stress the blood, sweat, and tears that went hand in hand with the women's suffrage movement. Alice Paul truly gave of herself. She motivated, she empowered women to fight, to have courage, and to challenge the status quo.

Alice Paul's leadership was unyielding, tenacious, and never self-serving. She suffered imprisonment, solitary confinement, and force feeding when officials tried sabotage her hunger strike. She dedicated her life for women's rights. A true American. A true champion. An American worthy of our gratitude and never-ending respect.

Her work must be honored and preserved by congressional acknowledgment. The Congressional Gold Medal is only a small token in comparison to the legacy that Alice Paul gave us all. Alice Paul's contribution to America cannot be understated. For this reason I urge all Members to support its passage.

Mr. Speaker, I reserve the balance of my time.

Mrs. BIGGERT. Mr. Speaker, I yield myself such time as I may consume.

Today I rise in support of H.R. 406, the Alice Paul Women's Suffrage Congressional Gold Medal Act. This legislation will recognize Alice Paul's role in the women's suffrage movement with the award of the Congressional Gold Medal, Congress's highest civilian honor.

It's a great honor to be speaking on this bill authored by my friend and colleague from California, Congressman BACA. I commend the gentleman for his work on this act.

Mr. Speaker, this bill celebrates the 72-year struggle towards women's suffrage and the woman who devoted her life to that movement, Alice Paul.

□ 1645

To many, Alice Paul symbolizes the very spirit of determination and resilience of the suffrage movement.

She was born in 1885 to Quaker parents. Alice Paul's childhood was somewhat of an anomaly for the time, because she was raised with the belief of gender equality. In this way, her childhood reflected the vision of the larger society she would work to forge until her death.

A graduate of Swarthmore College, a recipient of a Ph.D. from the University of Pennsylvania, and a believer in working towards the betterment of society, Alice Paul became an ardent proponent of women's suffrage in 1907 while in London.

Upon her return to the United States in 1910, Ms. Paul brought the determination of the English movement to bear on the American campaign. She

joined the National American Women's Suffrage Association and was quickly charged with heading the drive for a Federal suffrage amendment.

Recognizing that boldness was needed to accomplish her task, Alice Paul organized a parade comprised of woman to coincide with the inauguration of President Woodrow Wilson. The participating women were attacked with both insults and physical violence. However, the news made headlines and suffrage became a popular topic throughout the Nation.

Because of differences on tactics, Alice Paul left Women Suffrage Association and formed the National Woman's Party. Paul and her newly formed party were more aggressively than ever, picketing a war-time President and staging hunger strikes. Such methods were met with vehement opposition from authorities who arrested Paul and members of her group, subjecting them to horrific prison conditions and even attempted to have Paul declared insane. Yet nothing deterred her. Paul continued the march towards enfranchisement.

The suffragist's imprisonment and abuse caused a public outcry so strong that President Wilson reversed his position on a suffrage amendment, supporting it as a necessary "war-time" measure. It passed the House and Senate in 1919, and was ratified by the necessary three-fourths of States in 1920. In August of 1920 American women gained the right to vote.

However, Alice Paul's advocacy did not end with that triumph. In 1923, Alice Paul began her work on the Equal Rights Amendment, the ERA. The amendment was introduced in every session of Congress from 1923 until its passage in 1972. To date, the amendment has never been become part of the U.S. Constitution. It has been ratified by 35 of the necessary 38 States needed to ratify the Constitution. Alice Paul fought for its passage each time. And we continue to fight for it to become an amendment to the U.S. Constitution in honor of Alice Paul.

Today, two prominent institutions work to memorialize Paul's life and the progress of the women's movement: The Alice Paul Institute and the Sewall-Beimont House and Museum in Washington. This Congressional Gold Medal will be displayed in an alternating fashion at these two establishments, further honoring Ms. Paul and her legacy.

This historic movement and this historic woman gave this Nation so much. H.R. 406 acknowledges this fact, commemorating Alice Paul. I urge its immediate passage.

I reserve the balance of my time.

Mr. BACA. Mr. Speaker, I would like to yield such time as she might consume to the gentlewoman from California, my good friend, GRACE NAPOLITANO.

Mrs. NAPOLITANO. I thank my good friend and colleague, JOE BACA, from California for authoring this important

legislation and thank JUDY BIGGERT for supporting H.R. 406, the Alice Paul Congressional Gold Medal Act that would honor a true pioneer, one of the original suffragettes, as the progress of women's rights and equality continues to be such a strong need in our country.

In the early 20th century, she followed Susan B. Anthony and Elizabeth Cady Stanton. She recognized the disenfranchisement of women from political and public sectors and made it her passion to reconcile these injustices.

Alice Stokes Paul was a Quaker from Mount Laurel, New Jersey. She went to Swarthmore College and got her B.A. in 1905, which was unheard of in that time period. As was said before, she went to the New York School of Philanthropy, the University of Pennsylvania where she got her M.A. in Sociology, the University of Birmingham, the London School of Economics in 1907, and then the University of Pennsylvania where she got a Ph.D. in political science. Her dissertation at the time was the legal position of women in Pennsylvania.

Then in 1927, she received an LL.M. followed by a doctor of civil law degree in 1928 from the American University's Washington College of Law. As was mentioned, she joined the National American Women Suffrage Association in 1912, had done remarkable work with Lucy Burns, formed the Congressional Union, as was also mentioned. She actually laid the groundwork for the continuing of women to be able to have parity and equal rights.

She employed nonviolent civil disobedience campaigns, the hunger strike for which she was put into a prison psychiatric ward and force fed. She made it her passion to be able to continue fighting for the rights of women.

She energized a movement that produced a formal voice for women in politics through the voting rights. My female colleagues here in Washington and in Congress would not be standing before you today had it not been for those sacrifices made by Alice Paul and the suffragists. Her tireless efforts help provide women with the legal right to vote. That movement also fueled the social and cultural progress that has allowed me and others like me to participate at an elevated level of political progress.

She deserves a Congressional Medal of Honor, Mr. Speaker, because her actions have not only given women a voice in our country but provided inspiration for all disenfranchised women's groups to break that proverbial glass ceiling.

I want to thank my House colleagues, JOE BACA and JUDY BIGGERT, that moved this bill forward. I urge the Senate to follow the House lead and support this legislation.

Mrs. BIGGERT. Mr. Speaker, at this time, I would like to yield such time as she may consume to the gentlewoman from Minnesota who is also a member

of the Financial Services Committee, Mrs. BACHMANN.

Mrs. BACHMANN. Mr. Speaker, I thank Mr. BACA of California for sponsoring this legislation that is very important. Thank you for being so persistent in seeking 406 cosponsors of your legislation. And I also thank Mrs. BIGGERT, as well, for her timely remarks.

Mr. Speaker, I rise with regard to H.R. 406 honoring the early suffragist Alice Paul who worked hard to provide better treatment for American women in our legal and in our political system.

As the congressional chairman of the National American Woman Suffrage Association in Washington, D.C., Alice Paul performed a critical role in persuading Congress to pass the 19th amendment which guaranteed American women the right to vote. She later stated that her work in passing this amendment was "the greatest thing I have I ever did."

Alice Paul is rightly venerated by American feminists. But few recall her work to also expose the effects of legalized abortion as "the ultimate exploitation of women."

In fact, toward the end of her great career, Alice Paul grew frustrated with America's women's rights movement as it drifted away from its original mission of advocating for a better life for American women and in favor of legislation for abortion. Alice Paul was highly critical of this shift, and she harbored grave reservations about abortion on demand.

Mr. Speaker, I encourage you and my colleagues to join me in honoring this courageous women's career in its entirety. May this deliberative body take to heart her views on women's rights and its incompatibility with legalized abortion.

I thank both Mr. BACA and Mrs. BIGGERT for sponsoring this legislation.

Mr. BACA. Does the gentlewoman from Illinois have additional speakers?

Mrs. BIGGERT. I have no additional speakers and would yield back the balance of my time.

Mr. BACA. First of all, I would like to thank the gentlewoman Mrs. BACHMANN and, of course, Congresswoman GRACE NAPOLITANO for their compassionate speech about H.R. 406. A true hero, a woman who will leave a legacy not only for our country, for our Nation, but for our children and others, and especially I say for my daughters, I have two daughters, to know that they now have the right to vote.

And I was inspired by a movie that I saw entitled *Iron Jawed Angels*. That is how I happened to find out about Alice Paul and her history and contributions. I think too much time has passed and she should have been recognized some time ago. Were it not for she had done, many of us would not be in office right now because it also impacted many of us minorities. Not only did women gain the right to vote, but many minorities now have the ability

to vote under the 19th amendment because of women's suffrage. So I congratulate her.

I ask my colleagues on both sides of the aisle to vote "aye" for H.R. 406.

Mrs. MALONEY of New York. Mr. Speaker, I rise in strong support of H.R. 406, which awards a Congressional Gold Medal to Alice Paul.

Every American woman is indebted to Alice Paul for her lifelong dedication to women's suffrage. I am living proof of the advancements she has made for women. I am personally gratified that Congress is recognizing Alice Paul's contribution to American history. Alice Paul was the first cousin to my husband's grandmother. In fact, I named my oldest daughter after her.

Alice Paul passionately devoted her entire life to the advancement of women's rights. She was an extraordinary leader, ingenious fundraiser, and a brilliant politician. Wholeheartedly focused on suffrage, she lived in a cold room so she would not be tempted to sit up late and read novels.

Alice Paul truly revolutionized the suffragist movement. In 1913, Alice Paul and fellow suffragist Lucy Burns organized an impressive suffrage parade on the day before Woodrow Wilson's inauguration. In 1916, Paul founded the National Women's Party with the guiding philosophy of "holding the party in power responsible." Paul adamantly believed that women should never expect to be given the vote, but that they must take it through their own accord.

Under Paul's leadership, the National Women's Party was the first political organization in the United States to peacefully picket the White House. This political strategy is still widely used today. Originally the White House protests were tolerated by President Wilson. But as the women persistently picketed during the war, suffragist protestors were attacked by angry mobs and frequently arrested.

The suffragist prisoners demanded to be treated as political prisoners and staged hunger strikes. Their demands were met with brutality as suffragists, including older women, were beaten, pushed and thrown into cold, unsanitary, rat-infested cells. Women were even force-fed against their will. Thanks to the countless sacrifices made by suffrage activists, American women were finally granted the right to vote in 1920.

Yet, Alice Paul firmly believed that true fulfillment of women's rights was only advanced, not completely satisfied, by the achievement of suffrage. Paul drafted the Equal Rights Amendment for the United States Constitution in 1923. She devoted the rest of her life to this goal of constitutional protection for women's equality and today, feminists continue this pursuit. I have proudly continued her legacy by introducing the ERA every Congress since 1997.

Alice Paul's lifelong efforts achieved great strides not only for American women, but for all women of the world. She founded the World Woman's Party in 1938. Paul and the World Woman's Party successfully fought for the inclusion of gender equality into the United Nations Charter. Their efforts also led to the establishment of the United Nations Commission on the Status of Women. This Commission continues to be a principal global policy-making body for women's advancement.

Let us finally grant Alice Paul her rightful place in history. She is most deserving of the

Congressional Medal of Honor. Her legacy opened the door for women's full participation in society and for that, we are forever grateful.

Mr. BACA. I yield back the balance of my time.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from California (Mr. BACA) that the House suspend the rules and pass the bill, H.R. 406, as amended.

The question was taken.

The SPEAKER pro tempore. In the opinion of the Chair, two-thirds being in the affirmative, the ayes have it.

Mr. SIMPSON. Mr. Speaker, I object to the vote on the ground that a quorum is not present and make the point of order that a quorum is not present.

The SPEAKER pro tempore. Pursuant to clause 8 of rule XX and the Chair's prior announcement, further proceedings on this motion will be postponed.

The point of no quorum is considered withdrawn.

CREDIT AND DEBIT CARD RECEIPT CLARIFICATION ACT OF 2007

Mr. MAHONEY of Florida. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 4008) to amend the Fair Credit Reporting Act to make technical corrections to the definition of willful noncompliance with respect to violations involving the printing of an expiration date on certain credit and debit card receipts before the date of the enactment of this Act.

The Clerk read the title of the bill.

The text of the bill is as follows:

H.R. 4008

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.

This Act may be cited as the "Credit and Debit Card Receipt Clarification Act of 2007".

SEC. 2. FINDINGS; PURPOSE.

(a) FINDINGS.—The Congress finds as follows:

(1) The Fair and Accurate Credit Transactions Act (commonly referred to as "FACTA") was enacted into law in 2003 and 1 of the purposes of such Act is to prevent criminals from obtaining access to consumers' private financial and credit information in order to reduce identity theft and credit card fraud.

(2) As part of that law, the Congress enacted a requirement, through an amendment to the Fair Credit Reporting Act, that no person that accepts credit cards or debit cards for the transaction of business shall print more than the last 5 digits of the card number or the expiration date upon any receipt provided to the card holder at the point of the sale or transaction.

(3) Many merchants understood that this requirement would be satisfied by truncating the account number down to the last 5 digits based in part on the language of the provision as well as the publicity in the aftermath of the passage of the law.

(4) Almost immediately after the deadline for compliance passed, hundreds of lawsuits were filed alleging that the failure to remove the expiration date was a willful violation of the Fair Credit Reporting Act even where the account number was properly truncated.

(5) None of these lawsuits contained an allegation of harm to any consumer's identity.

(6) Experts in the field agree that proper truncation of the card number, by itself as required by the amendment made by the Fair and Accurate Credit Transactions Act, regardless of the inclusion of the expiration date, prevents a potential fraudster from perpetrating identity theft or credit card fraud.

(7) Despite repeatedly being denied class certification, the continued appealing and filing of these lawsuits represents a significant burden on the hundreds of companies that have been sued and could well raise prices to consumers without corresponding consumer protection benefit.

(b) PURPOSE.—The purpose of this Act is to ensure that consumers suffering from any actual harm to their credit or identity are protected while simultaneously limiting abusive lawsuits that do not protect consumers but only result in increased cost to business and potentially increased prices to consumers.

SEC. 3. CLARIFICATION OF WILLFUL NONCOMPLIANCE FOR ACTIONS BEFORE THE DATE OF THE ENACTMENT OF THIS ACT.

(a) IN GENERAL.—Section 616 of the Fair Credit Reporting Act (15 U.S.C. 1681n) is amended by adding at the end the following new subsection:

"(d) CLARIFICATION OF WILLFUL NONCOMPLIANCE.—For the purposes of this section, any person who printed an expiration date on any receipt provided to a consumer cardholder at a point of sale or transaction between December 4, 2004, and the date of the enactment of this subsection but otherwise complied with the requirements of section 605(g) for such receipt shall not be in willful noncompliance with section 605(g) by reason of printing such expiration date on the receipt."

(b) SCOPE OF APPLICATION.—The amendment made by subsection (a) shall apply to any action, other than an action which has become final, that is brought for a violation of 605(g) of the Fair Credit Reporting Act to which such amendment applies without regard to whether such action is brought before or after the date of the enactment of this Act.

The SPEAKER pro tempore. Pursuant to the rule the gentleman from Florida (Mr. MAHONEY) and the gentleman from Illinois (Mrs. BIGGERT) each will control 20 minutes.

The Chair recognizes the gentleman from Florida.

GENERAL LEAVE

Mr. MAHONEY of Florida. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days within which to revise and extend their remarks on this legislation and to insert extraneous material thereon.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Florida?

There was no objection.

Mr. MAHONEY of Florida. Mr. Speaker, I yield myself as much time as I may consume.

Mr. Speaker, I rise today in strong support of H.R. 4008, the Credit and Debit Card Receipt Clarification Act.

I would like to begin by thanking Members of both sides of the aisle for helping bring this commonsense legislation to the floor, including Ranking Member BACHUS, Representative MELISSA BEAN, MICHELE BACHMANN and